

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Please amend the Title as follows:

--[SYSTEM, APPARATUS, AND METHOD FOR CORRECTING VISION USING AN ELECTRO-ACTIVE LENS] OPTICAL LENS SYSTEM WITH ELECTRO-ACTIVE LENS HAVING ALTERABLY DIFFERENT FOCAL LENGTHS--

Please amend the Abstract as follows:

--[An electro-active spectacle lens is disclosed. The disclosed lens includes a first lens optic. The disclosed lens also includes a first electro-active zone positioned in a cooperative relationship with the first lens optic. In certain embodiments, the electro-active lens includes a range finder positioned in a cooperative relationship with the electro-active lens.] An optical lens system that may include a lens with a first focal length and an electro-active region coupled to the lens, where activating the electro-active region alters a portion of the system to a second focal length such that the system has two different focal lengths.--

IN THE CLAIMS:

Please cancel claims 259-271, 273, 274, 278-284, 287-304, and 310 without prejudice or disclaimer of the subject matter.

Please amend claims 275-277, 285, and 286 as follows:

--275. (Twice Amended) [The optical lens system of claim 259] An optical lens system for refracting light passing through a lens comprising:

a lens having a first focal length; and,

an electro-active region coupled to the lens,

the electro-active region, when activated, altering the focal length of a first portion of the lens system above a 180 degree meridian of the lens to a second focal length, the second focal length different from the first focal length,

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the electro-active region positioned to refract less than all of the light passing through the lens when the lens system is in use,

wherein the electro-active region is releasably attached to the lens.

276. (Twice Amended) [The optical lens system of claim 259] An optical lens system for refracting light passing through a lens comprising:

a lens having a first focal length; and,

an electro-active region coupled to the lens,

the electro-active region, when activated, altering the focal length of a first portion of the lens system above a 180 degree meridian of the lens to a second focal length, the second focal length different from the first focal length,

the electro-active region positioned to refract less than all of the light passing through the lens when the lens system is in use,

wherein the lens system includes a polymer gel and a liquid crystal.

277. (Amended) [The optical lens system of claim 259] An optical lens system for refracting light passing through a lens comprising:

a lens having a first focal length; and,

an electro-active region coupled to the lens,

the electro-active region, when activated, altering the focal length of a first portion of the lens system above a 180 degree meridian of the lens to a second focal length, the second focal length different from the first focal length,

the electro-active region positioned to refract less than all of the light passing through the lens when the lens system is in use,

wherein the electro-active region includes a metallic layer.

285. (Twice Amended) [The optical lens system of claim 284] An optical lens system for refracting light passing through a lens comprising:

a lens having a first focal length; and,

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an electro-active region coupled to the lens,

the electro-active region, when activated, altering the focal length of a first portion of the lens system above a 180 degree meridian of the lens to a second focal length, the second focal length different from the first focal length,

the electro-active region positioned to refract less than all of the light passing through the lens when the lens system is in use,

wherein the lens is supported by a phoropter,

wherein the phoropter contains a plurality of fixed focal length lenses.

286. (Twice Amended) The optical lens system of claim 285 wherein light passing through the phoropter passes through one of the [lenseses] lenses from the plurality of fixed focal length lenses and the electro-active-region. --

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REMARKS

Claims 272, 275-277, 285, and 286 will be pending upon entry of this paper.

Claim Objections

Claims 275-277, 285, and 286 were objected to but deemed allowable if rewritten in independent form. Claims 275-277 and 285 have been rewritten in independent form, hence, these claims are allowable. Claim 286 depends from Claim 285 and is allowable for at least the same reasons as Claim 285.

102 Rejections

Claims 264, 265, 282, and 293 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Piosenka (U.S. 5,359,444). Claims 264, 265, and 293 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Kern (U.S. 4,601,545).

These claims have been canceled. Nonetheless, Applicants traverse the rejections for at least the following reasons.

Claims 264, 265, 282, and 293 recite an electro-active region of an optical lens system, when activated, altering the focal length of a *first portion* of the lens system to a second focal length, the second focal length *different* from the first focal length. (Emphasis added.)

In contrast, Piosenka does not at least teach or suggest this language. In the embodiments of Piosenka referred to in the Office Action, the lens may include pixel regions 51 that adjust local refractive indices. See col. 5, line 6. However, these local adjustments provide for a single focal length in the entire lens. Moreover, Piosenka does not teach, suggest, or inherently disclose the “image shifting prismatic zone” recited in claim 282. Accordingly, claims 264, 265, 282, and 293 are patentable over Piosenka.

Kern also fails to teach or suggest the recited language. For instance, in the embodiments of Kern referred to in the Office Action, the “different optical effects” neither teach nor suggest different focal lengths in the lens at the same time. See col. 5, line 47. Accordingly, claims 264, 265, and 293 are patentable over Kern.

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103 Rejections

Claims 259-263, 268-271, 273, 274, 278-281, 283, 287-292, 296, 297, 301-304, and 310 were rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese document no. 55-76323 ("Japanese" '323"). Claim 284 was rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese '323 in view of Quaglia. Claims 266, 267, 294, 295, and 298-300 were rejected as being unpatentable over Japanese '323 in view of Piosenka.

These claims have been canceled. Nonetheless, Applicants traverse the rejections for at least the following reasons.

Claims 259 and 304 recite an electro-active region in an optical lens system being above a 180 degree meridian of the lens.

In contrast, Japanese '323 does not at least teach or suggest this language. Indeed, the Japanese '323 reference teaches away from such a location, as it shows the electro-active region well below the 180 degree meridian of the lens in its Fig. 1 in order to correct presbyopia, a near vision problem that is onset with age.

Therefore, since the claimed location of the electro-active region is absent from Japanese '323 and Japanese '323 can not be properly modified to produce this feature, claims 259 and 304 and any respective dependent claims are patentable over Japanese '323.

Claim 289 recites that "the electro-active region contains a fail-safe zone usable to view objects in the distance when the electro-active region malfunctions." In contrast, Japanese '323 neither teaches nor suggests the presence of a fail-safe zone.

Claim 279 recites an electro-active region with a "tint effect." Whereas, Japanese '323 neither teaches nor suggests a "tint effect."

Claim 281 recites "an anti-reflective coated electro-active region." However, Japanese '323 neither teaches nor suggests this language.

The deficiencies of Japanese '323 are not corrected by either Quaglia or Piosenka since Quaglia and Piosenka also fail to teach or suggest an electro-active region located above a 180 degree meridian of a lens, as recited in claim 259. Thus, claim 259 and its dependent claims are patentable over Japanese '323, Quaglia, Piosenka, and any combination thereof.

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CONCLUSION

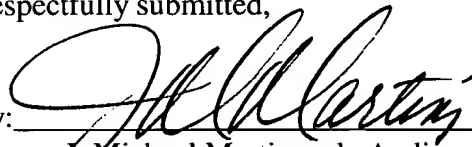
All the claims are believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

The Examiner is invited to discuss this paper with the undersigned at the telephone number listed below should any questions arise.

The Commissioner is authorized to charge Deposit Account No. 08-3436 for any applicable fee.

Respectfully submitted,

By: _____



J. Michael Martinez de Andino

Registration No. 37,178

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HUNTON & WILLIAMS
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
Direct Dial: (804) 788-7216
Direct Fax: (804) 343-4549

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